

April 10, 2019

VIA ECF

Hon. J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square, Room 415
New York, New York 10007

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Re: *Angel Hernandez v. The Office of the Commissioner of Baseball and Major League Baseball Blue, Inc.*, No. 18 Civ. 09035 (JPO) (GWG)

Dear Judge Oetken:

On behalf of the Defendants in the above-referenced matter, we write to correct a misstatement contained in Plaintiff's April 9, 2019 filing. (Dkt No. 62.) In Defendants' Memorandum of Law in Opposition to Plaintiff's "Motion for Declaratory Judgment," Defendants cited *Ollie v. University of Connecticut*, No. 18-cv-2070 (KAD), 2019 WL 441160 (D. Conn. Feb. 4, 2019). (Dkt No. 59, at 13–16 & 19.) In Plaintiff's Reply Memorandum, filed yesterday, Plaintiff stated that Defendants "fail[] to mention [that] the *Ollie* case is now on appeal to the Second Circuit Court of Appeals." (Dkt No. 62, at 9, n.4.) That assertion is incorrect. On March 28, 2019—five days before Defendants filed their opposition papers—the parties in *Ollie* filed a stipulation withdrawing the appeal pursuant to Federal Rule of Appellate Procedure 42, and the mandate issued on that same date. *Ollie v. Univ. of Connecticut*, No. 19-526, Dkt Nos. 33–34 (2d Cir. Mar. 28, 2019).

Respectfully submitted,

/s/ Neil H. Abramson
Neil H. Abramson
PROSKAUER ROSE LLP
Attorney for Defendants

cc: All Counsel of Record (via ECF)